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Service by electronic means is not accepted.

Hon. Katherine Polk Failla
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

July 17, 2020 *Via ECF, with courtesy copy to
Failla_NYSDChambers@nysd.uscourts.gov*

Re: Brimelow v New York Times Co.
 Civil Action No. 20-cv-00222

Honorable Madam:

This firm represent Plaintiff Peter Brimelow in the above defamation action.

With the consent of Opposing Counsel, Plaintiff requests permission to adjourn the deadlines for the pending Motion to Dismiss by one week.

1. the original due date of this motion was July 21, 2020. However, because of the publication of a new round of defamatory material on May 5, 2020, Plaintiff needed to amend his pleadings, which required a new motion schedule based on the new pleading. *See DKT. 20.* The new motion schedule based on the amended pleadings requires Opposition by July 21st and a new due date of August 4th. *This new motion schedule based on the new pleadings has not been previously adjourned.*
2. The has been no previous request for an extension of time, other than as set forth

above.

3. The previous request was granted because of the new pleadings, which were based on newly published material.
4. The reason for the current request is unanticipated work load by the Plaintiff's attorney. Specifically, he was lately retained by a client, which new matter has required vigorous motion practice, including deadlines this week and the next which have taken an inordinate and unforeseen amount of time.
5. Opposing Counsel consents to the request.

Thus, under Plaintiff's proposal, his opposition would be adjourned from July 21, 2020 to July 28, 2020 and Defendant's reply would be adjourned from August 4, 2020 to August 11, 2020.

Opposing Counsel is being copied on this correspondence, as indicated below. I thank you for your time and attention herein, and remain

Very truly yours,

/s/

Frederick C. Kelly, Esq.

cc: David E. McCraw, Esq. *Via Email & ECF Filing*

